

THE STATE OF TEXAS	§	DOCKET #
	§	
COUNTY OF CALHOUN	§	COURT:

**AFFIDAVIT FOR SEARCH WARRANT**  
**{Article 18.02(10), Texas Code of Criminal Procedure}**

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED THE AFFIANT HEREIN, A PEACE OFFICER UNDER THE LAWS OF TEXAS, WHO, BEING DULY SWORN, ON OATH MADE THE FOLLOWING STATEMENTS:

My name is Drew E. Pilkington; I am a peace officer under the laws of the State of Texas and I am currently commissioned as a peace officer under the title of Texas Ranger by the authority of the Director of the Texas Department of Public Safety. I am and have been commissioned as a peace officer by the Texas Department of Public Safety since March 31, 2000. During my tenure with the Texas Department of Public Safety, I have received extensive training and experience in the field of criminal investigations and have investigated numerous crimes of felony level offenses.

1. THERE IS IN CALHOUN COUNTY, TEXAS, A SUSPECTED PLACE AND LOCATION AS FOLLOWS: A business located at 1 N Virginia St., Port Lavaca, CALHOUN County, Texas (hereinafter the "business") named Guarantee Shoes. From the street view, the address number "1A" is affixed to the right of the front door. This is a brick commercial property, designated as "Virginia Place" which contains the business to be searched, Guarantee Shoes, and one other business, I Teach. The building faces southwest and the business is on the south side of the building. The entrances to both businesses are located at the front of the building. The business to be searched has a large glass pane window above which is an orange-colored overhang. The business is marked by a white sign with red lettering that sits on the overhang and reads "GUARANTEE SHOES."

Said suspected place, in addition to the above foregoing description, also includes all other buildings, structures, vehicles, and places which are located on said premises and within the curtilage, that are found to be under the control of the suspected party named below and in, on, or around which said suspected party may reasonably reposit or secrete property that is the object of the search requested herein.

Attached hereto below is two photographs of the suspected place described in paragraph 1 further identifying the said suspected property to be searched; it is to be considered as part of this affidavit as it is written herein.

FILED  
AT 3:57 O'CLOCK P.M

JUN 9 2016

PAMELA MARTIN HARTGROVE  
DISTRICT CLERK CALHOUN COUNTY, TEXAS

By: *Anna Kabela, Deputy*

**AFFIDAVIT FOR SEARCH WARRANT**



2. Said suspected place is in the charge of, controlled by, or used by the following named and/or described suspected parties (hereafter referred to as "suspect" and/or "suspected party", whether one or more), to wit:

**Aron Luna, a white male  
who was born on or about March 16, 1959, and  
has been assigned driver's license number 08718190 by  
the Texas Department of Public Safety**



### AFFIDAVIT FOR SEARCH WARRANT

3. It is the belief of the Affiant that said suspected party has possession of and is concealing at said suspected place the following property at the place to be searched and photographed which is Guarantee Shoes; and is, or has been recently, operated by Aron Luna. There are electronic, printed, and written evidence, documents, writings, associated with the offense of theft including but not limited to record books, ledgers, check registers, bank statements & bank records of transactions, receipts, purchase orders, weight tickets, delivery slips, invoices issued for construction debris which could be considered or referred to as "rip-rap". Time cards, payroll and subcontractor records. Construction contracts. Items indicating or identifying the disbursement of funds received from the County of Calhoun.

4. Said objects constitute evidence that the offense described in Paragraph 4, below, was committed and that said Aron Luna committed the offense described.

5. Your Affiant has probable cause for the said belief by the reason of the following facts and circumstances, to wit:

Affiant believes and charges that on or about and between the 28th day of February, 2008 and the 22nd day of December, 2014, in Port Lavaca, Calhoun County, Texas, Aron Luna did then and there unlawfully appropriate, by acquiring or otherwise exercising control over property, to-wit: U.S. currency, of the value of \$100,000 or more but less than \$200,000, from Calhoun County, Texas, the owner thereof, without the effective consent of the owner, namely by deception and with intent to deprive the owner of the property.

On December 3, 2014, Quay Martinez, a person your Affiant deems to be credible and a citizen of Victoria County, went to the Calhoun County Sheriff's Department and made a report of possible theft by a public servant. Martinez gave a statement in which she explained that she had just been fired from her job as the office manager for Calhoun County Commissioner Roger Galvan. According to Martinez, Commissioner Galvan was involved in a scheme with Aron Luna to divert funds from the county. Luna owned Guarantee Shoes and operated a construction company titled RBI that delivered loads of concrete, sometimes referred to as "rip rap," to Galvan's precinct to be used to help prevent beach erosion. Martinez stated that the "rip rap" material provided by contractors was generally free and when she saw the invoices from RBI, she became concerned that something illegal might be transpiring.

I, your Affiant, was able to obtain the bank records of Aron Luna, his business RBI, and Roger Galvan. A review of these records along with the invoices and check register from the county verified Ms. Martinez' statement. Beginning in 2008 and continuing through 2014, I was able to locate multiple instances where Galvan's precinct received an invoice from RBI for "rip rap." Commissioner Galvan then approved the payment of the invoice and RBI received a check from the county. Further, I was able to determine that Aron Luna would cash the check, deposit an amount in his account, and receive another amount back in cash. From that point, Roger Galvan would deposit cash into his account. Additionally, I obtained statements from other contractors who have provided



**AFFIDAVIT FOR SEARCH WARRANT**

"rip rap" in the past and each of them stated specifically that there is no charge for the concrete. The contractors deliver the product for free, and do not charge for it because they need a place to dump the concrete waste from jobsites.

Your Affiant, Drew E. Pilkington, is a Texas Ranger employed by the Texas Department of Public Safety and assigned to the Texas Ranger Division. Affiant has over 16 years of law enforcement experience with at least six years of assignment to the Texas Ranger Division and four years assigned to the Criminal Investigations Division.

Affiant believes that the suspect Aron Luna has financial information located on the premises of Guarantee Shoes that will show that Aron Luna also utilized his financial information and accounts of Guarantee Shoes to hide and further conceal the scope and nature of the theft committed by the suspect and Roger Galvan. Affiant believes that the information so furnished is true and correct, and that the informant is credible, because Affiant has had the opportunity to research some of the bank records from Aron Luna's account, the invoices submitted by Aron Luna, the deposit's made into Luna's account and the subsequent cash deposits by Commissioner Galvan into his bank account.

Wherefore, Affiant asks for issuance of a Warrant that will authorize him to search said suspected place and premises for said property and seize the same from each said described and accused person.

Further Affiant asks for issuance of an order to appropriate third parties directing same to assist affiant in the execution of said warrant, search said suspected place and premise for said property and seize the same to be retained as evidence in this investigation.

Affiant further requests authority from the Court, pursuant to the provisions of Article 18.10 of the Texas Code of Criminal Procedure, for authority to remove or take any property or evidence seized pursuant to the warrant from this county, if such removal is necessary for the safekeeping of such seized property, for forensic testing, processing, and analysis, or as otherwise authorized in the Texas Code of Criminal Procedure for the completion of any investigation or proceedings related to the activities described in this Affidavit.

  
Affiant

SWORN TO AND SUBSCRIBED BEFORE ME BY THE SAID AFFIANT ON THIS THE  
1 DAY OF June, 2016

  
Eli Garza; District Judge  
377th District Court of Texas  
Victoria, Victoria County, Texas

DOCKET #

§

§

COURT: \_\_\_\_\_ Judicial District of Texas

# SEARCH WARRANT

**{Article 18.02(10), Texas Code of Criminal Procedure}**

**The State of Texas:** To any Peace Officer of Calhoun County, Texas, or any Peace Officer of the State of Texas:

**GREETING:**

**Whereas** I have been presented an affidavit requesting issuance of a search warrant by Drew Pilkington, a peace officer under the laws of the State of Texas, and whereas I find that the verified facts stated by affiant in said affidavit show that affiant has probable cause for the belief he expresses therein, and whereas I believe said affidavit properly establishes grounds for issuance of this Warrant;

A business located at 1 N Virginia St., Port Lavaca, CALHOUN County, Texas (hereinafter the "business") named Guarantee Shoes. From the street view, the address number "1A" is affixed to the right of the front door. This is a brick commercial property, designated as "Virginia Place" which contains the business to be searched, Guarantee Shoes, and one other business, I Teach. The building faces southwest and the business is on the south side of the building. The entrances to both businesses are located at the front of the building. The business to be searched has a large glass pane window above which is an orange-colored overhang. The business is marked by a white sign with red lettering that sits on the overhang and reads "GUARANTEE SHOES."

Said suspected place, in addition to the above foregoing description, also includes all other buildings, structures, vehicles, and places which are located on said premises and within the curtilage, that are found to be under the control of the suspected party named below and in, on, or around which said suspected party may reasonably reposit or secrete property that is the object of the search requested herein.

At said place(s) you shall search for and, if same be found, seize and bring before me the property described in the affidavit, to-wit:

electronic, printed, and written evidence, documents, writings, associated with the offense of theft including but not limited to record books, ledgers, check registers, bank statements & bank records of transactions, receipts, purchase orders, weight tickets, delivery slips, invoices issued for construction debris which could be considered or referred to as " rip-rap". Time cards, payroll and subcontractor records. Construction contracts. Items indicating or identifying the disbursement of funds received from the County of Calhoun.

FILED  
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JUN 9 2016

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PAMELA MARTIN HARTGROVE  
DISTRICT CLERK CALHOUN COUNTY, TEXAS

By: Anna Kabela, Deputy



## SEARCH WARRANT

Attached hereto below is a photograph of the suspected property (vehicle) described above, further identifying the said suspected property to be searched; it is to be considered as part of this Warrant as it is written herein.



**You are commanded to collect** this evidence; and after collection examine the evidence with any and all available software and technology available at the time of the signing of this warrant and, if applicable, to use analyst or other professionals whom have expertise in the processing of the suspected evidence described above in the furtherance of an investigation into the offense of Theft which is alleged to have occurred within the County of Calhoun, Texas by Aron Luna.

**It is further ordered**, pursuant to the provisions of Article 18.10, Texas Code of Criminal Procedure (TCCP), that any and all property seized by authority of this Warrant or during the execution thereof shall be and remain under the care, custody, and control of any peace officer to whom this Warrant is delivered for execution.

**Further, This Court grants and Orders** you the authority that said property may be removed and taken to any location as deemed necessary by such peace officer for purposes of safekeeping, analysis, processing, and completion of any investigation or proceedings related to the activities described in the Affidavit upon which the foregoing Warrant was issued, or as otherwise authorized by the provisions of Article 18.10, TCCP.

**Herein fail not**, but have you then and there this Warrant to be executed without delay; and upon compliance with the orders herein, make return forthwith showing how you have executed same.

**SEARCH WARRANT**

**You have**, the time allowed as provided by Article 18.07, TCCP, for the execution of a search warrant, exclusive of the day of its issuance and of the day of its execution, as: three whole days. It is further stated this Warrant is issued to search for and seize data or information contained in or on a computer, disk drive, flash drive, cellular telephone, or other electronic, communication, or data storage device, and therefore the warrant is considered to have been executed within the time allowed if the device was seized before the expiration of the time allowed. Notwithstanding any other law, any data or information contained in or on a device seized may be recovered and analyzed after the expiration of the time allowed.

Issued this the 1 day of June, 2016, at 10:15 o'clock a. M., to certify which witness my hand this day.

  
\_\_\_\_\_  
Eli Garza; State District Judge  
377th District Court of Texas  
Victoria, Victoria County, Texas

*Eli E. Garza*



THE STATE OF TEXAS  
COUNTY OF CALHOUN

§ DOCKET #  
§  
§ COURT:


**OFFICER'S RETURN AND INVENTORY  
SEARCH WARRANT**

Before me, the undersigned authority, personally appeared the Affiant herein, a peace officer under the laws of the State of Texas, who, being duly sworn, on oath made the following statements:

My name is Drew E. Pilkington; I am a peace officer under the laws of the State of Texas and I am currently commissioned as a peace officer under the title of Texas Ranger by the authority of the Director of the Texas Department of Public Safety.

The attached Search Warrant came to hand on the day it was issued and it was executed on the 1st day of June 2016, by conducting the search directed therein and by seizing during such search the following described property:

See Attached Exhibit "A" consisting of 1 # of pages


  
Affiant  
Drew E. Pilkington

SUBSCRIBED AND SWORN TO BEFORE ME BY SAID PEACE OFFICER WHOSE NAME IS SIGNED ABOVE ON THIS THE 3 DAY OF June, 2016.

  
Eli Garza, State District Judge  
377th District Court of Texas; Victoria, Victoria County, Texas

On this day the above named Peace Officer delivered into this Court the Return and Inventory set out above. It is Ordered that the property seized by authority of the foregoing Warrant or during the execution thereof shall be and remain under the care, custody, and control of said Peace Officer or any other Peace Officer assisting with this search warrant and/or criminal investigation, and may be removed and taken to any location deemed necessary including any location outside of the county of issuance and/or the county of seizure; by such Officers for purposes of safekeeping, analysis, processing, and completion of any investigation or proceedings related to the activities described in the Affidavit upon which the foregoing Warrant was issued.

Ordered and signed this the 3 day of June, 2016.

  
Eli Garza, State District Judge  
377th District Court of Texas; Victoria, Victoria County, Texas

FILED  
AT 3:57 O'CLOCK P.M

JUN 9 2016

PAMELA MARTIN HARTGROVE  
DISTRICT CLERK CALHOUN COUNTY, TEXAS  
By:  Anna Kabela, Deputy



Exhibit "A"

**TEXAS DEPARTMENT OF PUBLIC SAFETY  
INVENTORY OF SEIZED PROPERTY**

Inventory of Property, items and/or contraband seized pursuant to a search warrant shall be inventoried in accordance to Article 18.06, Subsection (b) of the Code of Criminal Procedure as amended.

Name Aron Lona Address 1 N. Virginia Place Phone \_\_\_\_\_  
(Owner or Person in Charge) Port Lavaca Tx

Date 06-01-2016 City Port Lavaca County Calhoun  
(Seized)

Inventoried by Drew Pilkington Service Rangers

Witnessed by Brad Freeman & Kevin Koliba

Seizing Agency Texas Rangers City Victoria, Texas

**Items Seized from Persons**

Name NONE

Items Seized \_\_\_\_\_

**Items Seized from Vehicle**

Registration NONE  
State \_\_\_\_\_ Year \_\_\_\_\_ Number \_\_\_\_\_

VIN \_\_\_\_\_

Description (Year/Make/Model/Body Style) \_\_\_\_\_

**Items Seized from House, Garage, Barn, Out Buildings, Etc.**

1-CPU Service tag # 6P567J1 (Optiplex 360)

1-Blue Ledger Book, 1 stack "lead sheets"

1-2005 tax Folder

1-Blue "RBI 1989 Folder"

1-Dell CPU service tag # HZB128Z

Receipt: I certify that I "Left Copy with owner 'Aron Lona'"  
Owner or Person in Charge

have received a copy of this inventory pursuant to Art. 18.06, Subsection (b) of the Code of Criminal Procedure as amended.